

IN RE: PETITION FOR ADMIN. VARIANCE
W/S Denrob Court, 344' SW of the c/l
Goldenrod Lane
(9710 Denrob Court)
11th Election District
6th Councilmanic District

Richard Thobe and Annette Heimlich
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 99-258-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Richard Thobe and Annette Heimlich, through their attorney, Stuart D. Kaplow, Esquire. The Petitioners seek relief from Section 427 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a fence, erected in the rear yard, with a maximum height of 8 feet, to be located 1 foot from the front yard of an adjoining lot. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

As noted above, this matter was filed through the administrative variance process. However, the Petition was filed as the result of a complaint registered with the Code Enforcement Division of the Department of Permits and Development Management (DPDM) by the adjoining property owners, Anthony and Carol Grover. Apparently, the privacy fence which is the subject of the Petition, abuts the front yard of the Grover property. The Petitioners were subsequently advised to file the instant Petition to legitimize existing conditions on the property. However, due to the existence of an active zoning violation case, the matter was scheduled for a public hearing to allow all parties an opportunity to argue their respective positions.

ORDER RECEIVED FOR FILING

Date

By

The matter was originally scheduled for a public hearing on March 29, 1999, at which time only the property owners, Richard Thobe and Annette Heimlich, and their legal counsel, Stuart Kaplow, Esquire, appeared. Shortly after the close of the hearing, however, the adjoining property owners, Mr. and Mrs. Grover, contacted this Office and advised this Deputy Zoning Commissioner that they were not aware that a hearing had taken place. Apparently, the Grovers were awaiting notification from the Code Enforcement Division as to when the hearing would be held and were inadvertently overlooked. Thus, a new hearing was held on April 21, 1999, at which time all parties to the case appeared and testified.

At the hearing, testimony revealed that the subject property consists of a gross area of 0.291 acres, more or less, zoned D.R. 3.5, and is improved with a single family dwelling, an in-ground swimming pool, and several wood decks. In addition, a board-on-board privacy fence was recently installed along the rear of the Petitioners' property. This fence abuts the front yard of the Protestants, Mr. & Mrs. Grover. Photographs of this fence were submitted into evidence as Petitioner's Exhibit 2B. Testimony indicated that the fence was installed to provide privacy for the Petitioners' rear yard, particularly their swimming pool, and for security purposes to prevent small children from coming onto the property and finding their way to the swimming pool. Due to the height of the fence and its location adjacent to the front yard of the Protestants, the requested variance is necessary in order to allow the fence to remain.

As noted above, Mr. & Mrs. Grover appeared in opposition to the request. Mr. & Mrs. Grover are strongly opposed to the height and location of this fence, given its close proximity to their front property line. The Grovers are also concerned about the health of a row of American Arborvitae, which are currently 8 – 9 feet tall and are located immediately adjacent to the fence. Photographs of this row of trees are depicted in Petitioner's Exhibit 2A and Protestants' Exhibits

ORDER RECORDED FOR FILE
DATE 5/25/99
BY [signature]

6A through 6G. The Grovers also submitted into evidence as Protestants' Exhibit 7, a copy of a letter from Thomas D. Mayer, a Registered Professional Forester and a Maryland Licensed Tree Expert. His letter, dated April 20, 1999, indicates that the side of the trees which abut this fence are suffering from blight, apparently due to the lack of sunlight and decreased air flow caused by the fence. Mr. & Mrs. Grover are concerned over the loss of these trees which have existed on their property for many years. Furthermore, these trees are part of a continuous buffer that runs not only along the Petitioners' property line, but also along the entire length of the driveway which serves the Grover house and adjacent properties.

Subsequent to the hearing, I visited the property and personally inspected the trees. I also inspected the fence and noted conditions found on both the Petitioners' as well as the Protestants' properties.

After due consideration of the testimony and evidence presented by both sides on this issue, and based upon my personal inspection of the subject and adjacent properties, I am persuaded to deny the Petitioners' request for variance. The testimony and evidence offered by the Protestants, the letter from Mr. Mayer, as well as the observations I made during my site visit to the property were persuasive in my finding that the fence is causing damage to the trees that are located along the Grovers' property. Thus, I am compelled to deny the Petition for Variance to allow the fence to remain where it presently exists. Moreover, I shall require that the Petitioners relocate this fence to comply with the B.C.Z.R. within thirty (30) days of the date of this Order.

Pursuant to the posting and advertising of the subject property and for the reasons set forth above, the relief requested should be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 20th day of May, 1999 that the Petition for Administrative Variance seeking relief

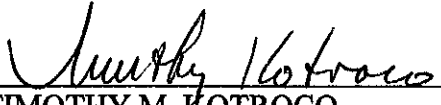
ORDER RECEIVED FOR FILING
Date 5/20/99
By [Signature]

from Section 427 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a fence, erected in the rear yard, with a maximum height of 8 feet, to be located 1 foot from the front yard of an adjoining lot, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the fence be relocated to comply with the B.C.Z.R. within thirty (30) days of the date of this Order, regardless of whether an appeal is filed, to prevent further damage to the Grover trees.

The Petitioners shall have thirty (30) days from the date of this Order to file an appeal of this decision.

TMK:bjs


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 5/23/99
BY [Signature]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

May 24, 1999

Stuart D. Kaplow, Esquire
15 East Chesapeake Avenue
Towson, Maryland 21286

RE: PETITION FOR ADMINISTRATIVE VARIANCE
W/S Denrob Court, 344' SW of the c/l Goldenrod Lane
(9710 Denrob Court)
11th Election District – 6th Councilmanic District
Richard Thobe & Annette Heimlich – Petitioners
Case No. 99-258-A

Dear Mr. Kaplow:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been denied, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Richard Thobe & Ms. Annette Heimlich
9710 Denrob Court, Baltimore, Md. 21234
Mr. & Mrs. Anthony Grover
9709 Magledt Road, Baltimore, Md. 21234
Code Enforcement Division, DPDM; People's Counsel; Case File

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 9710 Denrob Court, 21234

which is presently zoned DR 3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

Section 427 to permit a fence, erected in the rear yard, with a maximum height of 8 feet, to be located 1 foot from one of the adjoining lot's front yards.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Stuart D. Kaplow

Company

Address Telephone No.

Towson, MD 21286

City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Legal Owner(s):

Richard Thobe

Name - Type or Print

Signature

Annette Heimlich

Name - Type or Print

Signature

9710 Denrob Court 410-666-2972

Address Telephone No.

Baltimore MD 21234

City State Zip Code

Representative to be Contacted:

Stuart D. Kaplow

Name

15 East Chesapeake Avenue 410-339-3910

Address Telephone No.

Towson, MD 21286

City State Zip Code

Zoning Commissioner of Baltimore County

CASE NO. 99-258-A

Reviewed By JRF Date 1-8-99

Estimated Posting Date 1-17-99

Ret Ex 3

220 9/15/98

ORDER RECEIVED FOR FILING

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 9710 Denrob Court
Address
Baltimore MD 21234
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

(SEE ATTACHED)

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Richard Thobe
Signature

Richard Thobe
Name - Type or Print

Annette Heimlich
Signature

Annette Heimlich
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 6 day of January, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

RICHARD THOBE AND ANNETTE HEIMLICH
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

1/6/1999
Date

[Signature]
Notary Public

My Commission Expires 5-1-2001

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 9710 Denrob Court

Address

Baltimore

MD

21234

City

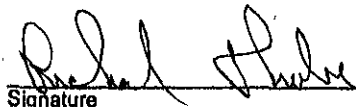
State

Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

(SEE ATTACHED)

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.



Signature

Richard Thobe

Name - Type or Print



Signature

Annette Heimlich

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 6 day of January, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Richard Thobe and Annette Heimlich

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

Date

1/6/99

Notary Public

My Commission Expires

5-1-2001



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 9710 Denrob Court, 21234
which is presently zoned DR 3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

Section 427 to permit a fence, erected in the rear yard, with a maximum height of 8 feet, to be located 1 foot from one of the adjoining lot's front yards.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Stuart D. Kaplow

Name - Type or Print

Signature

Stuart D. Kaplow

Company

15 East Chesapeake Avenue 410-339-3910

Address

Towson, MD

Telephone No.

21286

City

State

Zip Code

Legal Owner(s):

Richard Thoburn

Name - Type or Print

Signature

Annette Heimlich

Name - Type or Print

Signature

9710 Denrob Court

410-666-2972

Address

Baltimore

MD

Telephone No.
21234

City

State

Zip Code

Representative to be Contacted:

Stuart D. Kaplow

Name

15 East Chesapeake Avenue

410-339-3910

Address

Towson,

MD

21286

Telephone No.

City

State

Zip Code

Zoning Commissioner of Baltimore County

CASE NO. 99-258-A

Reviewed By JRF Date 1-8-99

Estimated Posting Date 1-17-99

ATTACHMENT
PETITION FOR ADMINISTRATIVE VARIANCE

The requested variance should be granted because the property that the fence is located on (yes, the fence that is the subject of this request is existing, as explained below) is, in and of itself, unique and unusual in a manner different from the nature of the surrounding properties (including its shape, topography, etc.) such that the uniqueness or peculiarity of the property causes the zoning provision to impact disproportionately upon the property.

That practical difficulty resulting from the disproportionate impact of the ordinance caused by the property's uniqueness exists.

Specifically, BCZR section 427 "does not apply to a fence required by Section 20-5 of the Baltimore County Code, 1988 Edition, as revised, to be constructed in order to screen a swimming pool." This fence was erected in the rear yard (to complete an enclosure with already existing side yard fences) to enclose an in ground swimming pool. As a fence constructed to enclose a swimming pool, section 427 does not apply to this fence.

A fence use permit was applied for and issued for a 7 feet high fence to be set back 2 feet, 4 inches from the rear property line (see attached). As erected by a family friend, the fence, through inadvertence (of this non-professional fence installer), has a maximum height of 8 feet (in lieu of the 7 feet indicated on the permit) and is set back approximately 15 inches from the rear property line, in an effort to avoid existing trees, (in lieu of the 2 feet, 4 inches indicated on the permit).

That Section 427 should not apply to this fence because the adjoining lot to the rear, has three single family houses and a horse barn all existing on one lot, all fronting on Magledt Road. At the time your petitioners purchased this house, there was no house where one has now been constructed. A lot can only have one front yard and that front yard is the front yard of the first house constructed thereon and that front yard faces Magledt Road and is in no way adjoining the petitioners lot. (See attached photographs.) That is, this fence is located in a rear yard that does not adjoin another lot's front yard and the section should not apply.

That Section 427 should not apply to this fence because adjoining this lot to the rear is a private road that serves three residences and a horse barn. There is no adjoining front yard. If any front yard exists for the house that is closest to your petitioner's lot (and it could only exist if that adjoining lot has 3 front yards?), that yard must be beyond the private road and not adjoining this lot such that Section 427 is not applicable.

That the existing fence lies behind a 9 feet high hedge row of Cypress trees that screen and effectively shield the houses across the private road from your petitioner's pool. As such no one is burdened by this fence. (See attached photographs.)

Thobe petition 001

COPIES RECEIVED
Date 5/25/09
Jep

Zoning Description

ZONING DESCRIPTION FOR 9710 Denrob Court

Beginning at a point on the West side of Denrob Court which is 50 feet wide at the distance of 344 feet southwest of the centerline of the nearest improved intersecting street Goldenrod which is 50 feet wide.

Being Lot # 10, Block B, Section # --- in the subdivision of Cloverfield Manor as recorded in Baltimore County Plat Book # 53, Folio # 91, containing 0.291 acres. Also known as 9710 Denrob Court and located in the 11th Election District, 6th Councilmanic District.

258

99.258-A

BALTIMORE COUNTY, MARYL
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 062429

DATE 1-8-99

ACCOUNT

R-001-015-000

AMOUNT

\$ 50.00

RECEIVED FROM:

Annette Corbett Kleinlich

Item # 255

FOR:

010 Variance

7710 DENROD CT. Taken by: JRF

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

99-258-A

STATE RECEIPT
OFFICE OF BUDGET & FINANCE
BALTIMORE COUNTY, MARYLAND
RECEIVED FROM: ANNETTE CORBETT KLEINLICH
ITEM # 255
7710 DENROD CT. TAKEN BY: JRF
DATE 1-8-99
AMOUNT \$ 50.00
ACCOUNT R-001-015-000

**NOTICE OF ZONING
VIOLATIONS**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case #99-238-A
97710 Denrob Court
W/S Denrob Court, 344' SW
of centerline Goldenrod Road
11th Election District
6th Councilmanic District
Legal Owner(s):
Annette Herrlich &
Richard Thode
Administrative Variance: to
permit a fence, erected in the
rear yard, with a maximum
height of 8 feet, to be located 1
foot from one of the adjoining
lot's front yards.
Hearing: Monday, March 28,
1999 at 2:00 p.m. in Room
407, County Courts Bldg.,
401 Basley Avenue.

LAWRENCE E. SCHMIDT,
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible, for
special accommodations
Please Contact the Zoning
Commissioner's Office at
(410) 887-4386.

(2) For information concern-
ing the File and/or Hearing,
Contact the Zoning Review Of-
fice at (410) 887-3391.

3/15/00 March 11 C286465

CERTIFICATE OF PUBLICATION

TOWSON, MD., 3/11, 1999

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/11, 1999

THE JEFFERSONIAN,

S. Wilkinson

LEGAL ADVERTISING

Let Ex 4B

CERTIFICATE OF POSTING

RE Case No. 99-258-A

Petitioner/Developer: R&A HEIMLICH, ETAL
% S. KAPLOW, ESQ

Date of Hearing/Closing 3/29/99

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms Gwendolyn Stephens

Ladies and Gentlemen

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at # 9710 DENROB CT.

The sign(s) were posted on _____

3/11/99

(Month, Day, Year)

Sincerely,

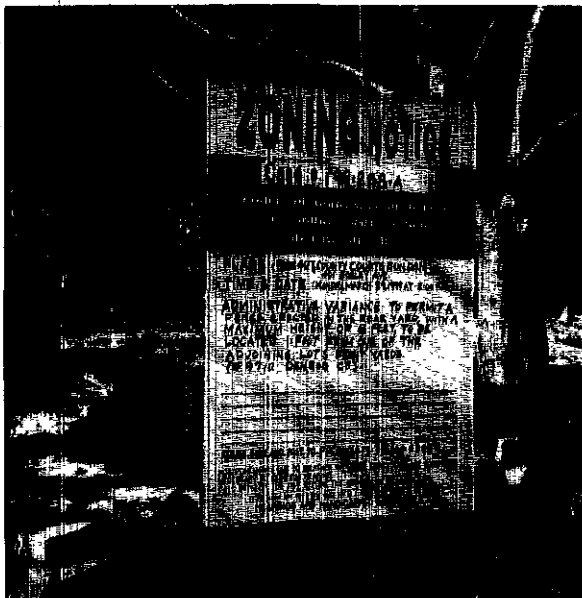
Patrick M. O'Keefe 3/20/99
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571
(Telephone Number)



99-258A
#9710 DENROB CT
P: 3/11/99 R&A HEIMLICH 3/29



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

February 19, 1999

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-258-A

9710 Denrob Court

W/S Denrob Court, 344' SW of centerline Goldenrod Road

11th Election District – 6th Councilmanic District

Legal Owner: Annette Heimlich & Richard Thobe

Administrative Variance to permit a fence, erected in the rear yard, with a maximum height of 8 feet, to be located 1 foot from one of the adjoining lot's front yards.

HEARING: Monday, March 29, 1999 at 2:00 p.m. in Room 407, County Courts
Building, 401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

c: Stuart D. Kaplow, Esquire
Annette Heimlich & Ricahrd Thobe

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MARCH 14, 1999.**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
March 11, 1999 Issue – Jeffersonian

Please forward billing to:

Annette Heimlich
9710 Denrob Court
Baltimore, MD 21234

410-661-2972

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-258-A

9710 Denrob Court

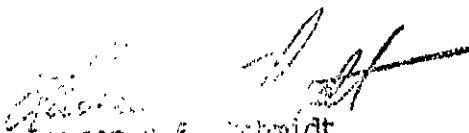
W/S Denrob Court, 344' SW of centerline Goldenrod Road

11th Election District – 6th Councilmanic District

Legal Owner: Annette Heimlich & Richard Thobe

Administrative Variance to permit a fence, erected in the rear yard, with a maximum height of 8 feet, to be located 1 foot from one of the adjoining lot's front yards.

HEARING: Monday, March 29, 1999 at 2:00 p.m. in Room 407, County Courts
Building, 401 Bosley Avenue


Lawrence E. Schmidt
54

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATESCase Number 99- 258 -A Address 9710 DENROB COURTContact Person: JUN R. FERNANDO Phone Number: 410-887-3391
Planner, Please Print Your NameFiling Date: January 8, 1999 Posting Date: 1-17-99 Closing Date: 2-1-99

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only**USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT**Case Number 99- 258 -A Address 9710 DENROB COURTPetitioner's Name Richard Thube & Annette Heinrich Telephone 410-666-2972Posting Date: 1-17-99 Closing Date: 2-1-99Wording for Sign: To Permit a fence, erected in the rear yard, with a
maximum height of 8 feet to be located 1 foot from one
of the adjoining lot's front yards.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 99-258-A

Petitioner: Richard Thobe & Annette Heimlich

Location: 9710 Denrob Court

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Annette Heimlich

ADDRESS: 9710 Denrob Court

Baltimore, MD 21234

PHONE NUMBER: 410.661.2972

AJ:ggs

(Revised 09/24/96)

99-258-A

Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: _____

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: _____

plat book # _____, folio # _____, lot # _____, section # _____

OWNER: _____



North

date: _____

prepared by: _____

Scale of Drawing: 1" = _____



Vicinity Map
North
scale: 1"=1000'

LOCATION INFORMATION

Election District: _____

Councilmanic District: _____

1"=200' scale map#: _____

Zoning: _____

Lot size: _____ acreage _____ square feet

SEWER: ☐ public ☐ private
WATER: ☐ yes ☐ no

Chesapeake Bay Critical Area: ☐ yes ☐ no
Prior Zoning Hearings: _____

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

January 29, 1999

Stuart D. Kaplow, Esq.
15 E. Chesapeake Avenue
Towson, MD 21286

RE: Item No.: 258
Case No.: 99-258-A
Location: 9710 Denrob Court

Dear Mr. Kaplow:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on January 8, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

January 15, 1999

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF JANUARY 19, 1999

Item No.: See Below

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

255, 256, 257, AND 258

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 1/22/99

FROM: R. Bruce Seeley *RBS/99*
Permits & Development Review
DEPRM

SUBJECT: Zoning Advisory Committee

Meeting for:

The Department of Environmental Protection and Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 255
256
258
99-238-SPHA



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

David L. Winstead
Secretary

Parker F. Williams
Administrator

Date: 1.12.99

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 258

JRF

Dear Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

P. F. Williams
for Michael M. Lenhart, Acting Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

Anthony Grover

Carol Grover

ADDRESS

9789 Magleth Rd, 21234

9769 Magleth Rd. 21234



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Steve D Kriew 332

15 E Chasawmiks Ave 21286

Richard Thobe

9710 Densoh Ct. 21234

DEBRA HETTLERMAN

12661 BERANS RD 21117



Protestant(S) SIGN-IN SHEET

ADDRESS

15 E. Channing Ave 21286

9710 Denrob et 21234

9710 DENROB CT 21234



STUART D. KAPLOW, P.A.

ATTORNEYS AT LAW

15 EAST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21286-5306

TELEPHONE 410-339-3910

FACSIMILE 410-339-3912

E-MAIL STUKAPLOW@AOL.COM

APR 27

STUART D. KAPLOW

April 27, 1999

Hand Delivery

Timothy M. Kotroco, Deputy Zoning Commissioner
County Courts Bldg., 4th Floor
401 Bosley Avenue
Towson, Maryland 21204

Re: **Richard Thobe, et ux**
Case No. 99-258-A

Dear Mr. Kotroco:

As you will recall, you heard the above noted variance case last week.

Your petitioner, Richard Thobe thought is important that you consider a series of facts not brought to your attention during the hearing. He has reduced that relevant information to a letter addressed to you and I am providing it to you under cover of this correspondence. We believe it necessary and proper that you be aware of the issues raised in his letter.

I am sending a copy of both this letter and Mr. Thobe's letters to Mr. and Ms. Grover. And am here noting here for their information, that if they wish to write to you in furtherance of any of the issues raised that they may do so, of course, without any objection from us.

Thank you in advance for your courtesies in receiving this correspondence and considering my client's communication.

Sincerely,


Stuart D. Kaplow

SDK:tbm

cc: Mr. & Ms. Grover w/ enclosure

9710 Denrob Ct
Baltimore, Md. 21234

April 22, 1999

Timothy Kotroco
Deputy Zoning Commissioner for Balto. Co.
Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204

Dear Commissioner Kotroco:

I apologize for not elaborating more on the necessity of the fence. Of course, it is for privacy and liability reasons, however, I really didn't expand on them in any detail. After yesterday's hearing, I feel the need to further explain

Yes, there is a chain link fence completing the fencing around the pool. However, after seeing the children climbing over the chain link fence to get a ball last summer- we knew we had a liability issue no matter what anyone states unless we had a high enough fence for no one to climb

Second, there is a whole history between the Grovers and us. Prior to and during the construction of this fence, there was a ritual of us having to clean up cigarette butts that were either thrown over or through their cypress trees and trash in the form of candy wrappers or potato chip bags while they were constructing their house and garage. After they built their house and during their recent garage construction, there were major mudslides down our back yard from the piles of dirt and clay that they left uncovered. This mud ran into our yard, garden, and our pond, killing our fish, clogging our filter system, and leaving a mess in the yard. I could have probably filed suit but the damage was not that significant and my motto is to live and let live. Yes the fence was partly erected to: 1. Recreate the privacy we had before their house had been built; 2. Keep the Grovers from peering through their trees while my wife and friends were swimming and sunbathing; 3. To stop their kids from throwing rocks at our dog and into our pool.; 4. To stop the exhaust fumes from their vehicles from descending into our yard; 5. To create a sound barrier from their loud music and 6. To just try and reclaim my own yard-my own piece of the earth

As far as the blight being caused by the fence-this is quite unlikely since the blight has already claimed 3 of our trees that have still the morning sun and since it is also on their trees not near the fence. I have a personal interest in plants and trees. I would never erect anything with disregard for anyone else's trees or mine. If I knew that fence would harm any tree, no one will have to tell me to remove the fence. I would do it on my own. I have contacted the County Cooperative Extension Service on Friday only to find out, they no longer have a horticulturist on staff. They have referred me to the University of Maryland Home and Garden Information Center. I spoke to Harriet the Horticulturist. Harriet explained that when cypress trees turn brown it is usually from not being watered enough. If there is a concern about blight then check the new growth and if that has turned brown, there may be a problem. However, as far as the fence killing the trees due to a lack of sunlight; they possibly will turn brown but only on the side of the fence. The rest of the tree, if it is mature and healthy, will stay green and continue to grow. In fact, if I were to plant more trees instead of the fence the results on their cypress would be the same.

As far as "manipulation of the system" is always more likely to occur when one has knowledge of the particular system he or she is trying to manipulate; i.e. growing up in a household where zoning laws are constantly being challenged in the housing industry, like the Grovers, then manipulation is more likely. Case and point: look at the permit for their garage and then look at their garage which was just completed after the fence.

Sir, I do realize why laws, restrictions and rules are needed. What I do not understand is that how is altering the existence of this fence is protecting or keeping the Grovers out of harms way? Thank you for reading this letter.

Sincerely,

Richard Thobe

Richard Thobe, Case No. 99-258-A



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

April 13, 1999

Stuart D. Kaplow, Esquire
15 East Chesapeake Avenue
Towson, Maryland 21286

RE: PETITION FOR VARIANCE
W/S Denrob Court, 344' SW of the c/l of Goldenrod Road
(9710 Denrob Court)
11th Election District - 6th Councilmanic District
Richard Thobe and Annette Heimlich - Petitioners
Case No. 99-258-A

Dear Mr. Kaplow:

As you know, a hearing in the above-captioned matter took place on March 29, 1999 at which time only you and the property owners appeared. Subsequent to that hearing date, this Deputy Zoning Commissioner was advised by Anthony and Carol Grover, adjoining property owners to the rear of the subject property, that they were unaware that a hearing had taken place and were therefore unable to participate in those proceedings.

By agreement of all parties, a continued hearing has been scheduled for Wednesday, April 21, 1999 at 10:00 AM in Room 106 of the County Office Building. All parties to this case have been notified by copy of this letter.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Richard Thobe & Ms. Annette Heimlich
9710 Denrob Court, Baltimore, Md. 21234
Mr. & Mrs. Anthony Grover
9709 Magledt Road, Baltimore, Md. 21234
People's Counsel; Case File

Come visit the County's Website at www.co.ba.md.us

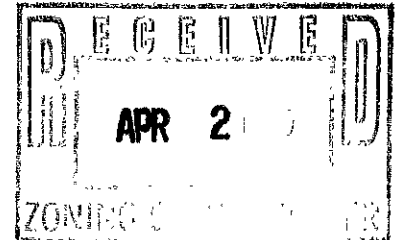


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on Recycled Paper

ANTHONY AND CAROL GROVER
9709 MAGLEDT ROAD
BALTIMORE, MARYLAND, 21234
410-882-4904

April 1, 1999

Mr. Tim Kotroco
Zoning Commissioner
Baltimore County, Maryland
410 Bosley Avenue
Towson, Maryland, 21204



Mr. Tim Kotroco :

This letter is in regard to a zoning complaint , case number 99-258-A, filed on November 18, 1998 by myself and my wife Carol. The complaint was filed due to the construction of a fence built at the address of 9710 Denrob Court, Baltimore County, Maryland, 21234.

The fence in question was built in the rear of 9710 Denrob Court during the early part of November 1998. The rear of yard of 9710 Denrob Court faces the *front* of our property. Because of the size of this fence in question, approximately nine (9) feet in height, my wife called the permit section. My wife learned that there was in fact a permit issued for the construction of a fence at the address of 9710 Denrob Court, however, the permit was for a fence approximately seven (7) feet in height. Additionally, the permit stated that the fence in question was to be placed approximately two (2) feet from the rear property line of 9710 Denrob Court. The fence in question was built approximately six (6) inches from 9710 Denrobs rear property line.

After notifying the code enforcement section of Baltimore, County, Maryland, my wife was contacted by Mr. Dennis Rioux, who subsequently examined the fence: Mr.Rioux after examination of the fence, issued a citation to the occupants of 9710 Denrob Court, citing violations BCZR #427, of the Baltimore County code and ways in which the violations could be rectified. One option was to apply for a variance.

Initially Mr. Rioux contacted my wife and kept her apprised of the progress made towards fixing the violations. My wife was informed that there would be a letter mailed to us stating the date, if any, for a variance hearing. Having gone through the variance process in the past, we were somewhat familiar with the process. After not hearing from

Mr. Tim Kotroco
Page 2
April 1, 1999

Mr. Rioux or receiving any notification of a variance hearing date for some time, we sought additional information and recontacted Mr. Rioux. My wife contacted and left messages for Mr. Rioux to contact us so we could be updated on the progress. On Monday, March 29, 1999 Mr. Rioux contacted my wife. He informed her that date for an upcoming variance hearing was scheduled within a month and that he would contact us with the exact date. Mr. Rioux also stated that the residence of 9710 Denrob Court had obtained an attorney to represent them for the variance hearing.

Mr. Rioux contacted my wife again on Wednesday, March 31, 1999 and she was informed that the variance hearing was held on Monday, March 29, 1999.

I can not tell how shocked and disappointed we were to find that we had missed the hearing, for we had planed to attend and protest the variance. Further more, we are very disappointed that we received NO notification in the mail or otherwise about the any upcoming hearing.

Had my wife and I received a hearing date we would have attended. At the hearing we would have pointed out several reasons for not granting the variance in this situation. One reason is that along the front property line of my residence, approximately eight (8) inches from the property line, is a row of evergreen trees. These trees were planted over ten years ago and have grown from approximately four (4) feet in height to their current size of approximately nine (9) feet. Since the fence in question was built so close to the rear property line of 9710 Denrob Court, and NOT as stated on the permit, the fence completely blocks the morning sun from our trees. In the brief time since the fence has been constructed, our trees have began to turn brown on the side facing the fence. We have contacted several nurseries seeking ways to protect our investment of trees. All of the nurseries we have spoken to have told us that the fence would cause our trees to turn brown and die. The nurseries stated several reasons why the fence would kill our trees. Some of the reasons were the fence blocking the morning sun to the fence being so close to our trees and being constructed from pressure treated lumber, in the summer months, would radiate a tremendous amount of heat, thus killing the trees and that the fence being so close to the trees would deprive the trees of needed oxygen. To date we have not totaled the dollar value to replace our trees.

Furthermore, when the fence in question finally kills our trees, we will be left with the NINE foot fence , six (6) inches from our front yard. This, as you can imagine, will create quite an eye sore. There are several other reasons we would like to discuss with you and why we protest the granting of a variance in this situation.

■


Mr. Tim Kotroco
Page 3
April 1, 1999

In closing, we hope the Baltimore County Zoning commission does not take the position of giving rewards, in this case a variance, to individuals who obtain a permit for one thing, then build something completely different from what is stated on the permit, that violates the zoning codes of Baltimore County, Maryland. If this variance is granted it would send a clear message that it is acceptable to obtain a building permit for one thing, then take it upon ones self to build whatever they wanted, in this case in violation of zoning regulations, then obtain a variance as a way to right their wrong. This in turn would be making building and zoning codes and restrictions non-existent.

I hope that you are able to consider some of the information.

Thank you,

Anthony and Carol Grover





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

February 9, 1999

Stuart D. Kaplow, Esquire
15 East Chesapeake Avenue
Towson, MD 21286

Dear Mr. Kaplow:

RE: Demand for Public Hearing, Case Number 99-258-A, 9710 Denrob Court

The purpose of this letter is to officially notify you that the zoning commissioner is requiring a public hearing concerning the above proposed administrative procedure.

As soon as the hearing has been scheduled, you will receive a notice of public hearing indicating the date, time and location of the hearing. This notice will also contain the date that the sign must be reposted with the hearing information.

As a result of the above, the property must be reposted with the hearing date, time and location. This notification will be published in the Jeffersonian and you will be billed directly by Patuxent Publishing for this.

If you need any further explanation or additional information, please feel free to contact me at 410-887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "wcr/scj".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:scj

c: Annette Heimlich & Richard Thobe

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opened container on any public property or property used by the public in general or on any highway or in any vehicle on any public property, property used by the public in general, or any highway, except where otherwise expressly permitted by state and/or county law and/or regulation.

(b) Any person violating the provisions of this section shall be deemed guilty of a misdemeanor.

(c) The provisions of subsections (a) and (b) of this section do not apply to the consumption of alcoholic beverages by passengers in the living quarters of a motor home equipped with a toilet and central heating or the passengers of a chartered bus in transit if the owner or operator has consented to the consumption of the beverages.

(Code 1978, § 18-2)

Cross references—Motor vehicles and traffic, tit. 21; roads, bridges and sidewalks, tit. 31.

State law reference—Possession of alcohol in open containers, Ann. Code of Md. art. 25A, § 214 et seq.

Sec. 20-3. Interference with police or fire apparatus.

It shall be unlawful for any person in any manner to interfere with, mutilate or damage any apparatus, property, wires or equipment or appurtenances of the fire department or police department or in any way interfere with any member of such departments in the discharge of his duties. Any person violating the provisions of this section shall be guilty of a misdemeanor.

(Code 1978, § 18-7)

Charter references—Police department, § 541; fire department, § 542.

Cross references—Fire protection, tit. 16; police, tit. 27.

State law references—Property damage generally, Ann. Code of Md. art. 27, § 111 et seq.; interference with firefighters, Ann. Code of Md. art. 27, § 11D.

Sec. 20-4. Chemically treated paper.

(a) Except as otherwise provided for herein, the sale, use or possession of chemically treated paper is prohibited. The provisions of the next preceding sentence hereof do not apply to actors and actresses, magicians, show business people and public performers when such chemically treated paper is used or intended to be used in connection with their vocations or avocations, nor do such provisions apply to the suppliers of such

persons for such purposes. Any person violating the provisions of this section shall be guilty of a misdemeanor and may be subjected to the penalties set forth in section 1-8 of this Code, in the discretion of the court.

(b) For the purposes of this section, "chemically treated paper" is paper:

- (1) Which has been treated with celluloid and nitrate or with other substances or chemicals to give it a high combustibility; or
- (2) Which has been treated with substances or chemicals to give it a high solubility; or
- (3) Which has been treated with substances or chemicals to give it otherwise a quick disposability; or
- (4) Without limitation thereby, known as "flash paper"; or
- (5) Without limitation thereby, known as "gel paper".

(Code 1978, § 18-11)

Sec. 20-5. Swimming pool enclosure required.

(a) Every person owning land on which there is situated a swimming pool, which contains twenty-four (24) inches (610 mm) or more of water in depth at any point, shall erect and maintain thereon an adequate enclosure either surrounding the property or pool area sufficient to make such body of water inaccessible to small children. Such enclosure, including gates therein, shall be not less than four (4) feet above the underlying ground. All gates shall be self-latching with latches placed four (4) feet above the underlying ground and otherwise made inaccessible from the outside to small children.

(b) A natural barrier, hedge or other protective device approved by the department of permits and development management, but excluding a swimming pool cover, may be used so long as the degree of protection afforded by the substituted devices or structures is not less than the protection afforded by the enclosure, gate and latch described herein.

(Code 1978, § 18-20; Bill No. 94-95, § 1, 8-19-95)

Cross reference—Public swimming pools and bathing beaches, § 17-97 et seq.

T. D. MAYER CONSULTING
7833 Acorn Bank
Pasadena, Maryland 21122
410-437-4228

Prot Ex 7

April 20, 1999

Mr. Anthony Grover
9709 Magledt Road
Carney, Maryland 21234

RE: 9709 Magledt Road, Carney
Tree damage

Dear Mr. Grover:

I observed a row of American Arborvitae (*Thuja occidentalis*) approximately 8 to 9 feet in height along the east property line on April 19, 1999, at the above-mentioned property. These trees were in good to moderate condition. Some of the trees appeared to have a very light condition of Arborvitae tip blight. There were approximately 38 trees that were much more heavily infested with this disease. This occurred along a portion of the property where a 9-foot wooden privacy fence had recently been installed (July, 98). This condition was especially prevalent on the side of the trees located toward the fence.

It is my opinion that if proper county fence zoning regulations had been followed this condition would not be as widespread. This is so because the majority of the sunlight that the trees were getting has now been blocked off due to the fence. It is my understanding that the fence should have been located approximately 3 feet from the edge of the property line. This would have allowed much more sunlight to penetrate to the trees. The reduction of sunlight in itself would be likely to adversely impact these trees.

The trees shadowed by this fence are likely to continue their decline on the fence side. It may be helpful to have the dead material pruned and discarded. A licensed pesticide applicator should be employed to apply the appropriate chemical to help correct the tip blight. The trees should be monitored to keep this condition from worsening. A tree of this size would cost approximately \$300 installed.

If you have any questions please call me at the above phone number.

Very truly yours,



Thomas D. Mayer

Registered professional Forester #223
Maryland Licensed Tree Expert #019

100 A
1-34 Pg

wireless telecommunications towers and personal wireless service facilities. [Bill No. 30-1998]

WIRELESS TELECOMMUNICATIONS TOWER — A self-supporting, guyed or freestanding structure erected for the purpose of supporting one or more wireless telecommunications antennas. [Bill No. 30-1998]

YARD — Any open space located on the same lot with a building, unoccupied and unobstructed from the ground up, except for accessory buildings or such projections as are expressly permitted in these regulations. The minimum depth or width of a yard shall consist of the horizontal distance between the lot line and the nearest point of the foundation wall of the main building.

YARD, FRONT — A yard extending across the full width of the lot, between the front lot line and the front foundation wall of the main building.

YARD, REAR — A yard extending across the full width of the lot, between the rear lot line and the rear foundation of the main building.

YARD, SIDE — A yard extending from the front yard to the rear yard, between the side lot line and the side foundation wall of the main building.³⁰

Section 101A
Critical Area Definitions
[Bill Nos. 32-1988; 9-1996³¹]

In addition to the terms and words defined in Section 101, the following words and terms as used in these regulations have the meanings indicated for application within the Chesapeake Bay Critical Area. Except as otherwise noted, these definitions are applicable only within the Chesapeake Bay Critical Area and shall supersede all other definitions. For the definitions in these regulations of words not defined in this section, refer to Section 26-438 of the Baltimore County Code, 1988 Edition, as revised, and COMAR, Title 27, Subtitle 01, Chapter 01. Any word or term not defined in Section 101, Section 101A, Section 26-438 of the Baltimore County Code, or in COMAR, Title 27, Subtitle 01, Chapter 01, shall have the ordinarily accepted definition as set forth in the most recent edition of Webster's Third New International Dictionary of the English Language, Unabridged.

AGRICULTURE — All methods of production, processing, storage and management of livestock, crops, vegetation and soil. This includes but is not limited to the related activities of tillage, fertilization, pest control, harvesting and marketing. It also includes but is not limited to the activities of feeding, housing and maintaining of animals such as cattle, dairy cows, sheep, goats, hogs, horses and poultry and handling their by-products.

BONA FIDE INTRAFAMILY TRANSFER — A transfer to a member of the owner's immediate family of a portion of the owner's property for the purpose of establishing a residence for that family member.

³⁰ Editor's Note: The definition of "zone" which followed this definition was repealed by Bill No. 40-1967.

³¹ Editor's Note: This bill repealed and amended a number of definitions in this section. For a complete listing of the former definitions, see Bill No. 9-1996.



BUILDING PERMIT PROCESSING
CASH SLIP RECEIPT

No. A

354166

BALTIMORE COUNTY
DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 100
TOWSON, MARYLAND 21204

PAID RECEIPT

PROCESS ACTUAL TIME
6/25/1998 6/24/1998 15:13:16
REG W504 CASHIER KCM KXM DRAWER
2 PERMITS & DEVELOPMENT MGT
Receipt # 055150 OFL
DOCUMENT # 354166

10.00 CASH
Baltimore County, Maryland

OFFICE OF FINANCE USE ONLY

APPLICANT

Richard Thobe

ADDRESS

9710 Denrob Ct

ZIP CODE

21234

CHECK ITEM	ITEMS	PAY CODE	G/L ACCOUNT NUMBER	FEE
	ABANDONED WATER METER APPLICATION	200	231-2874	
	APPEAL PROCESS FEE	204	001-006-6150	
X	BUILDING PERMIT APPLICATION	209	001-006-2510	10.00
	CHANGE OF OCCUPANCY	210	001-006-2520	
	COUNTY FINANCING APPLICATION	211	231-006-7120	
	ELECTRICAL ADMINISTRATIVE BOARD EXAM FEE	212	001-006-6090	
	ELECTRICAL ADMINISTRATIVE BOARD LICENSE	213	001-006-2210	
	ELECTRICAL PERMIT	214	001-006-2600	
	FIRE HYDRANT METER	217	231-006-6180	
	FIRE INSPECTION	246	001-006-6019	
	GAS PERMIT APPLICATION	220	001-006-2420	
	MASTER'S FEE	249	001-006-6135	
	PERCOLATION TEST	224	001-006-6750	
	PHOENIX WATER CHARGE	248	030-006-6133	
	PLUMBING BOARD LICENSE	225	001-006-2220	
	PLUMBING PERMIT APPLICATION	226	001-006-6220	
	SEPTIC TANK PERMIT	228	001-006-2430	
	SEWER PROPERTY CONNECTION APPLICATION	229	231-006-6051	
	SEWER SERVICE CHARGE, PRORATED	230	030-006-6012	
	SEWER SYSTEM CHARGE	231	231-006-6141	
	STORM DRAIN CONNECTION	233	001-006-2440	
	SUB-SOIL DRAIN INSTALLATION	234	001-006-6220	
	WASTEWATER DISCHARGE PERMIT	240	030-006-2630	
	WATER DISTRIBUTION	241	030-006-6043	
	WATER METER APPLICATION	242	231-006-6060	
	WATER METER FEE	243	231-2874	
	WATER SURCHARGE	244	231-006-6151	
	WATER SYSTEM CHARGE	245	231-006-6151	

CHECK/MONEY ORDER PAYABLE TO BALTIMORE COUNTY, MARYLAND

TOTAL

10.00

DESCRIPTION:

Final PA 3344556

Cash

PREPARER'S NAME

[Signature]

DATE

6/24/98

THIS IS NOT A PERMIT OR LICENSE AND DOES NOT AUTHORIZE CONSTRUCTION OF ANY KIND. NO BUILDING, PLUMBING, OR ELECTRICAL PERMIT FEE IS REFUNDABLE.

WHITE-AGENCY

YELLOW-APPLICANT

PINK-FINANCE

BALTIMORE COUNTY FENCE USE PERMIT
DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
111 WEST CHESAPEAKE AVENUE, TOWSON, MD 21204

Fees: \$10.00 Residential; \$20.00 Commercial

Permit No. B344556
Receipt No. A 354 1/2 G

Make checks payable to Baltimore County, Maryland — PERMIT FEES ARE NON-REFUNDABLE

Type or print in ink: 9710 Denvob Ct. Balt. Md. 21234
Work Site Address

Election District _____

Owner's Name Richard Thobe / Annette Heimlich

Phone No. 410 661 2972

Mailing Address _____

Owner's Agent _____ Phone No. _____

COMPLETE BELOW OR ATTACH A PLAN THAT CLEARLY SHOWS:

Property line dimensions, easements, existing buildings, road names, and location of alleys.

Corner Lot: Yes ☐ No ☒

Proposed fence location (XXXXX), total length 116, height 5'7", and type _____

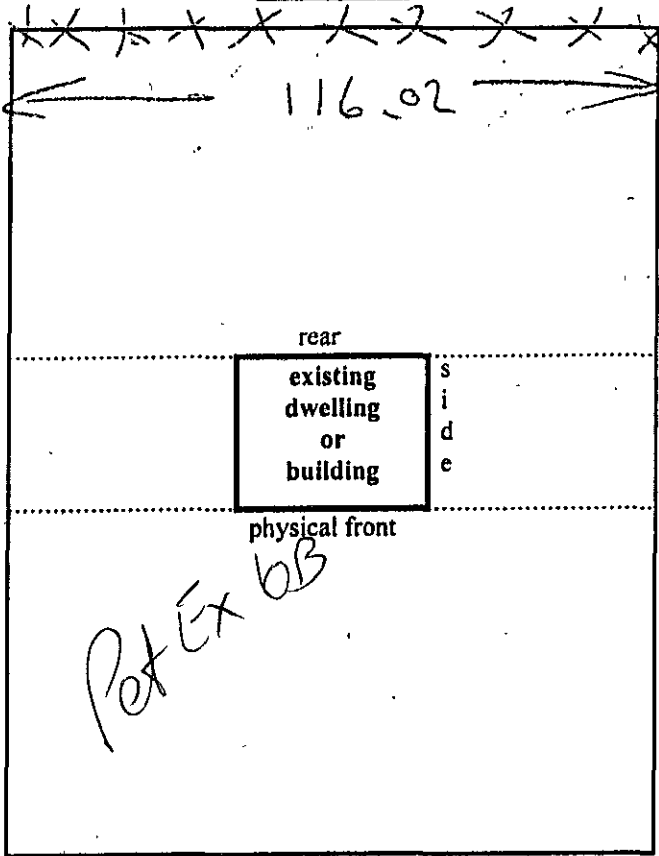
Historic District: Yes ☐ No ☒

Property line setbacks: front N/A, sides 0, and 0, and rear 2' 0" Tax 20 00 005 803

Property use _____ Rear/Side yard abuts adjoining front yard: Yes ☐ No ☒

SITE PLAN

FENCE REGULATIONS



Permit is required for fences over 42 inches high (measured vertical to ground, even if fence is placed on top of wall). Fences erected within easement must be removed at owner's expense, if required.

Building Code, Section 509:

509.1 - Residential Fences -- Maximum height of 42 inches in front yard as determined by BCZR and 6 feet in side and rear yards at the property line. Maximum height of 10 feet in side and rear yards, provided set back 2 feet for every vertical foot over 6 feet.

509.2 - Commercial Fences -- Maximum height of 12 feet. Building's Engineer may approve higher fence for dangerous, hazardous, or athletic field. Electric and barbed wire fences are only permitted for the retention of livestock and when not a safety hazard to the public. No sharp projections less than 4 feet high. Barbed wire and other retarding material may be on top of fence that is at least 6 feet, 9 inches high.

Zoning Code (BCZR) (access easements cannot be fenced)

102.5 - Corner Lot -- No fence or other obstruction to vision is permitted higher than 3 feet within 25 feet of a corner of two streets, 15 feet of a street and alley, and 10 feet of two alleys.

427 - Residential Fences in side or rear yard which adjoins residential front yard (setback and maximum height): zero to 10 feet - 42 inches, 10 to 20 feet - 48 inches, 20 to 30 feet - 60 inches, and over 30 feet - no limit. Required pool fence and houses more than 200 feet apart are exceptions.

Road Name Denvob Ct

CERTIFICATION (OWNER/AGENT)

I have carefully read the above regulations and hereby certify that the proposed fence will be located on private property, will not violate the codes, and that the information supplied is true, complete, and correct.

Signature Richard Thobe Date 2-24-98

Print or Type Name Richard Thobe

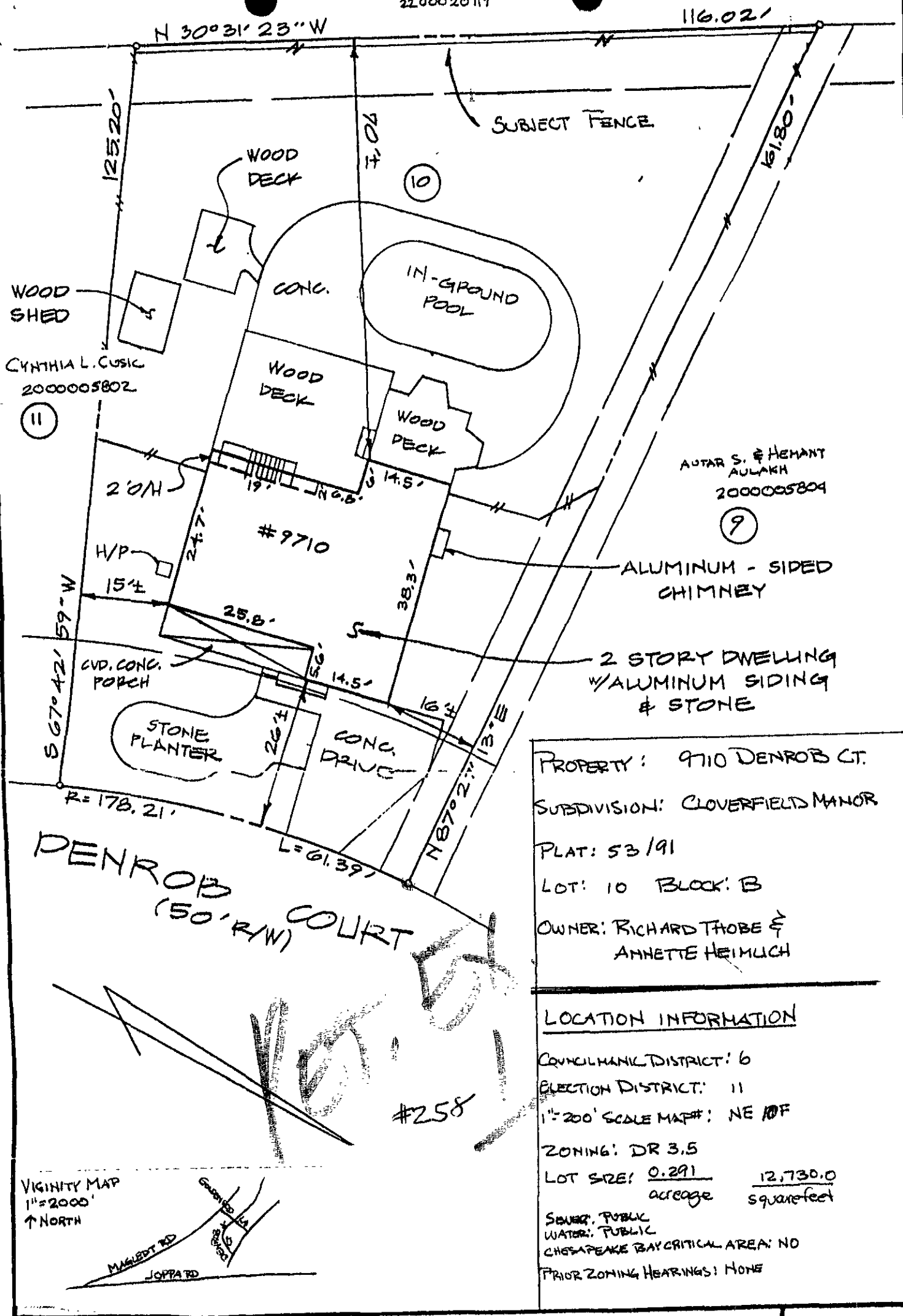
Copies: White - Office; Yellow - Applicant

Authority under Section 500.4, BCZR **PDM APPROVAL (FOR FENCE ONLY)**

Signature _____

Print Initials 2

Date 6/24/98



Survey of: #9710 DENROB COURT

job no. PT-101

PLAT TO ACCOMPANY PETITION
FOR ZONING VARIANCE

RICHARD THOBES & ANNETTE HEIMLICH
9710 DENROB CT., BALTIMORE 21234

scale 1"=20'

date 3/16/94

drawn JDF

checked AJV

99-258-A

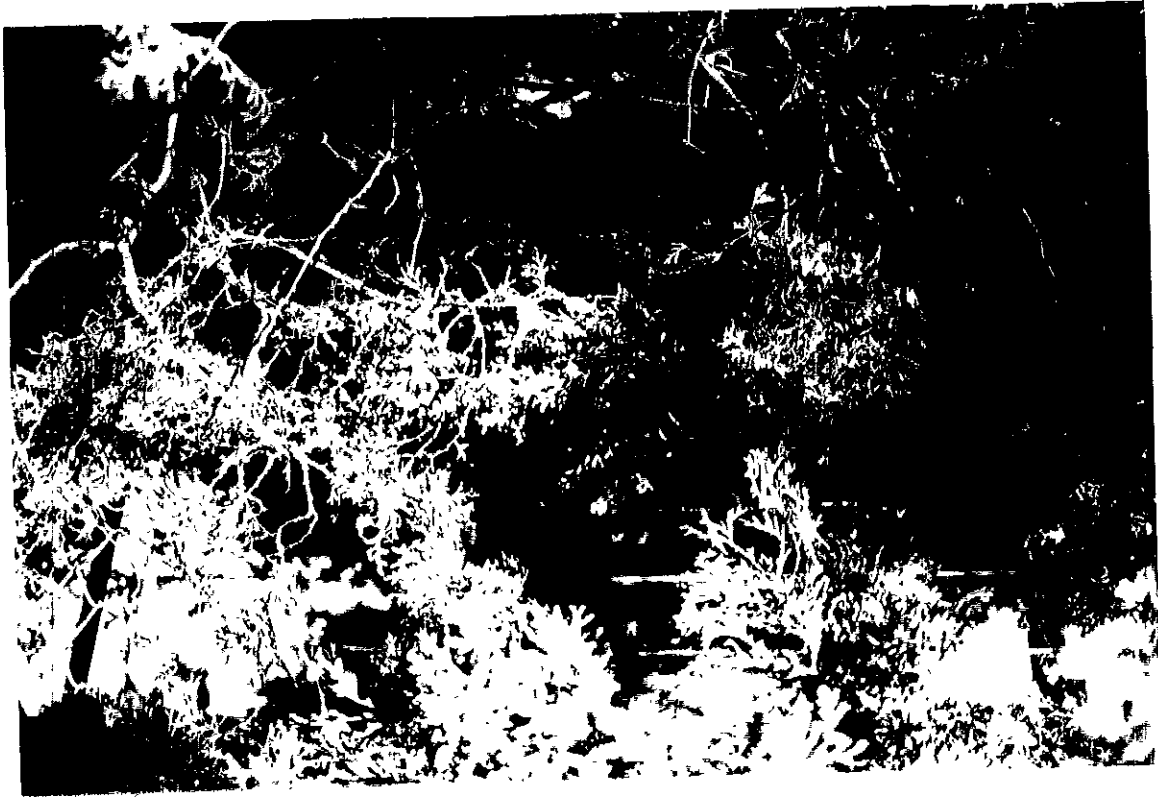
Protestants

Exhibits 1, 2A-20, 6A-6H
and 8A-8B

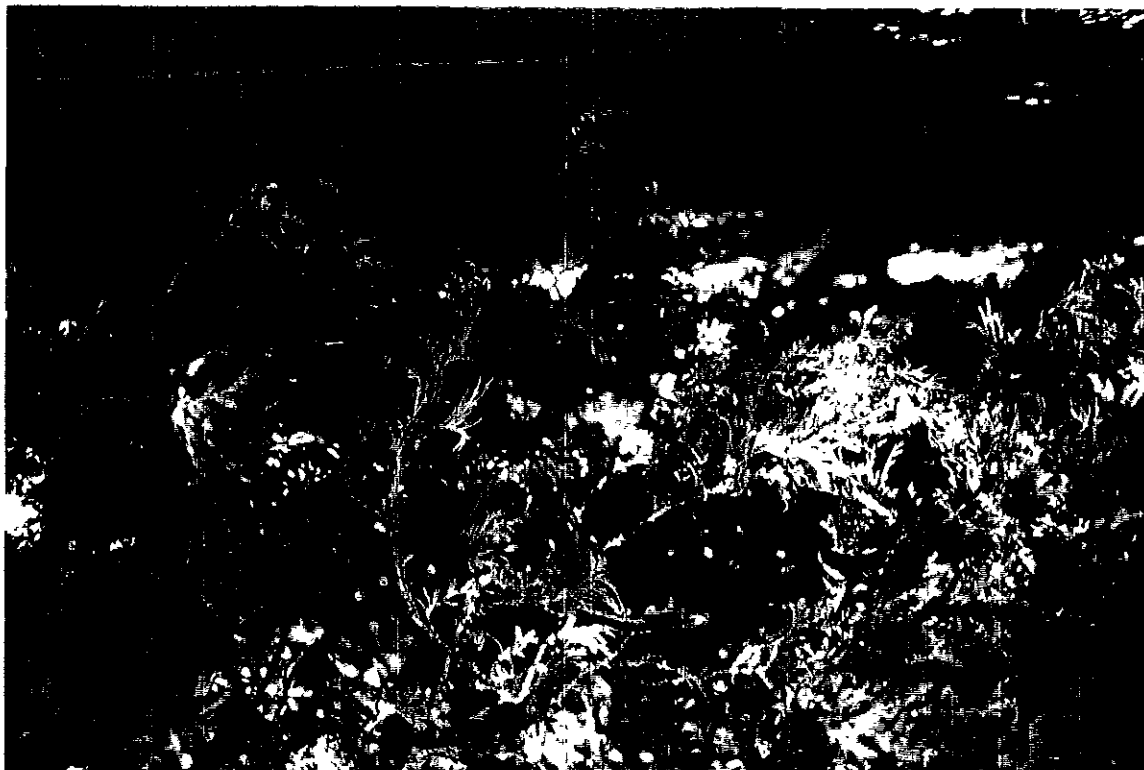
(photographs)

Case 99-258-A

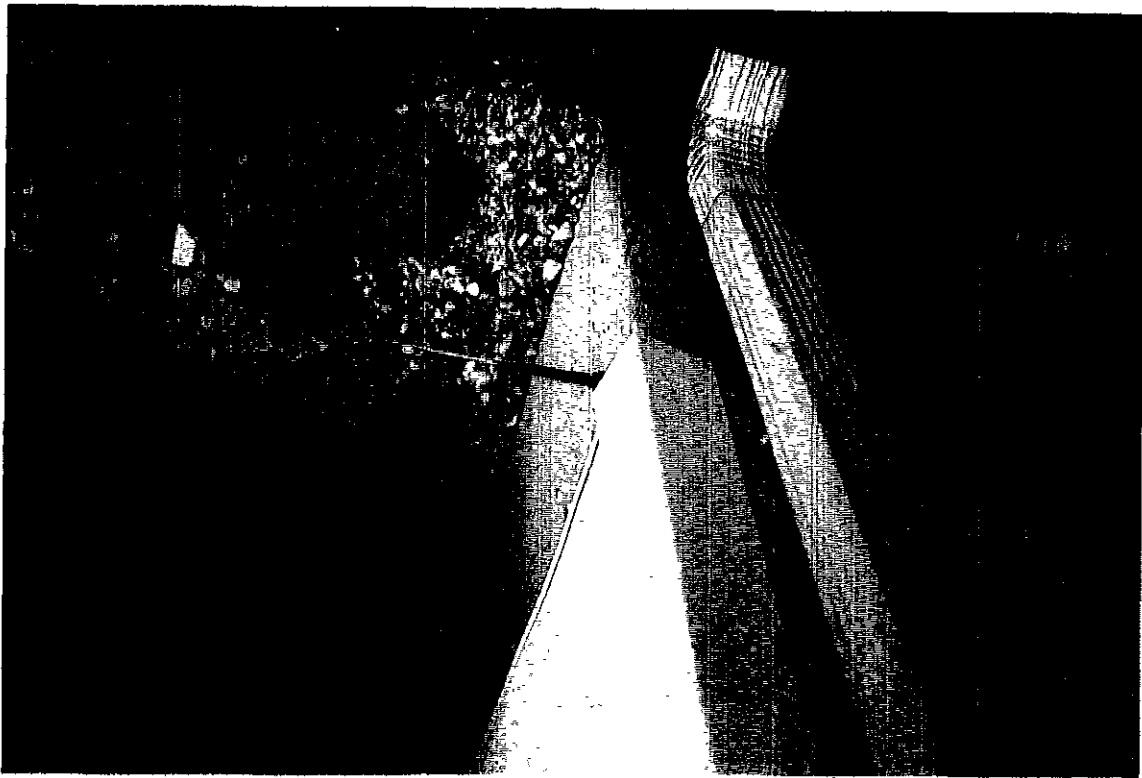
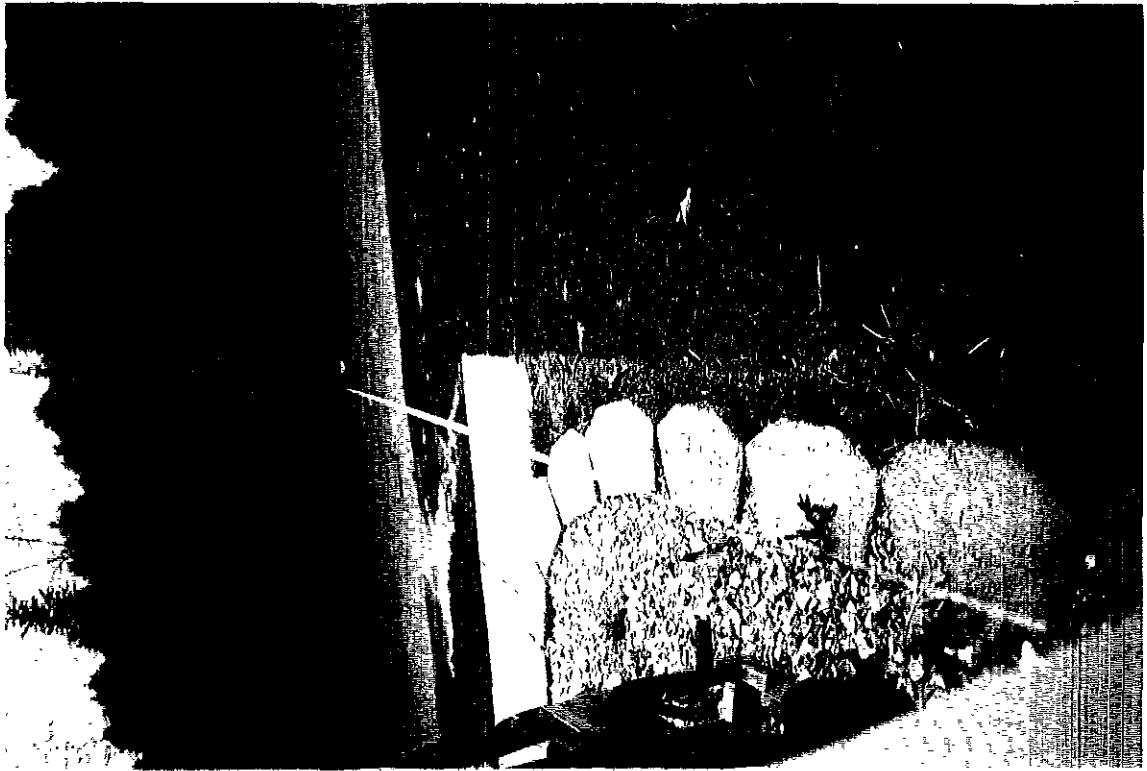


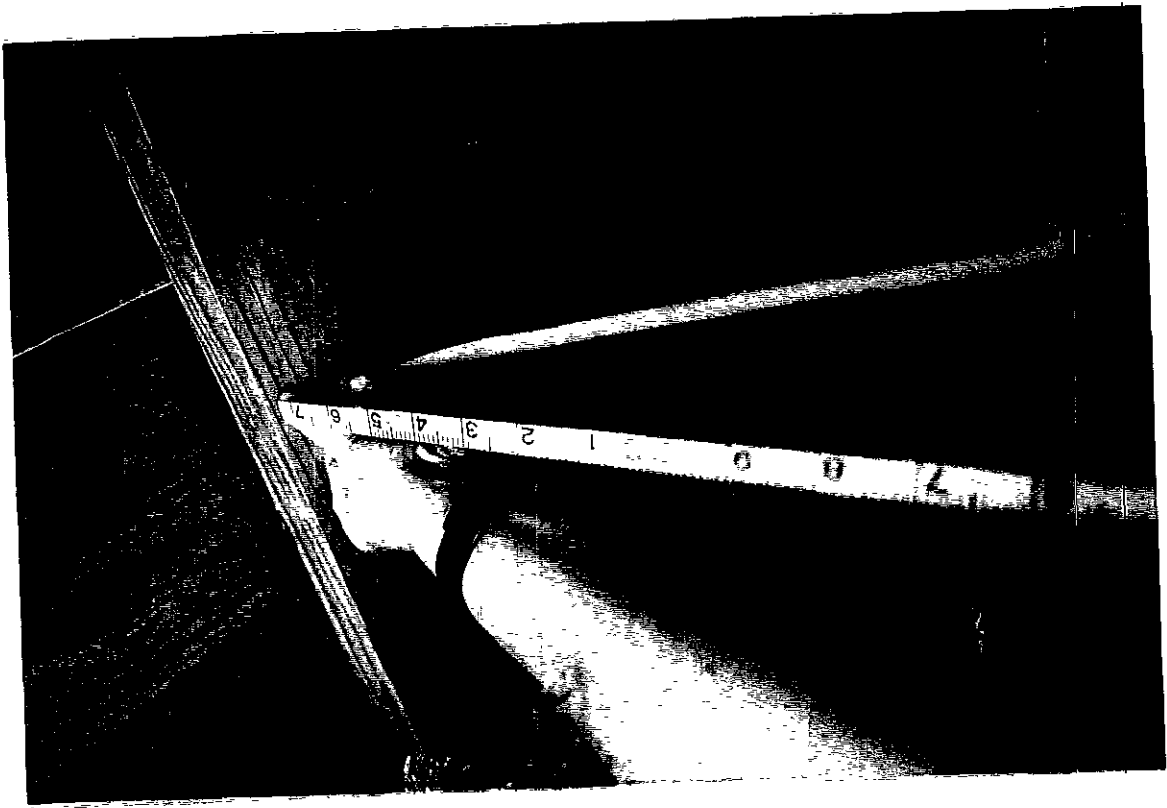


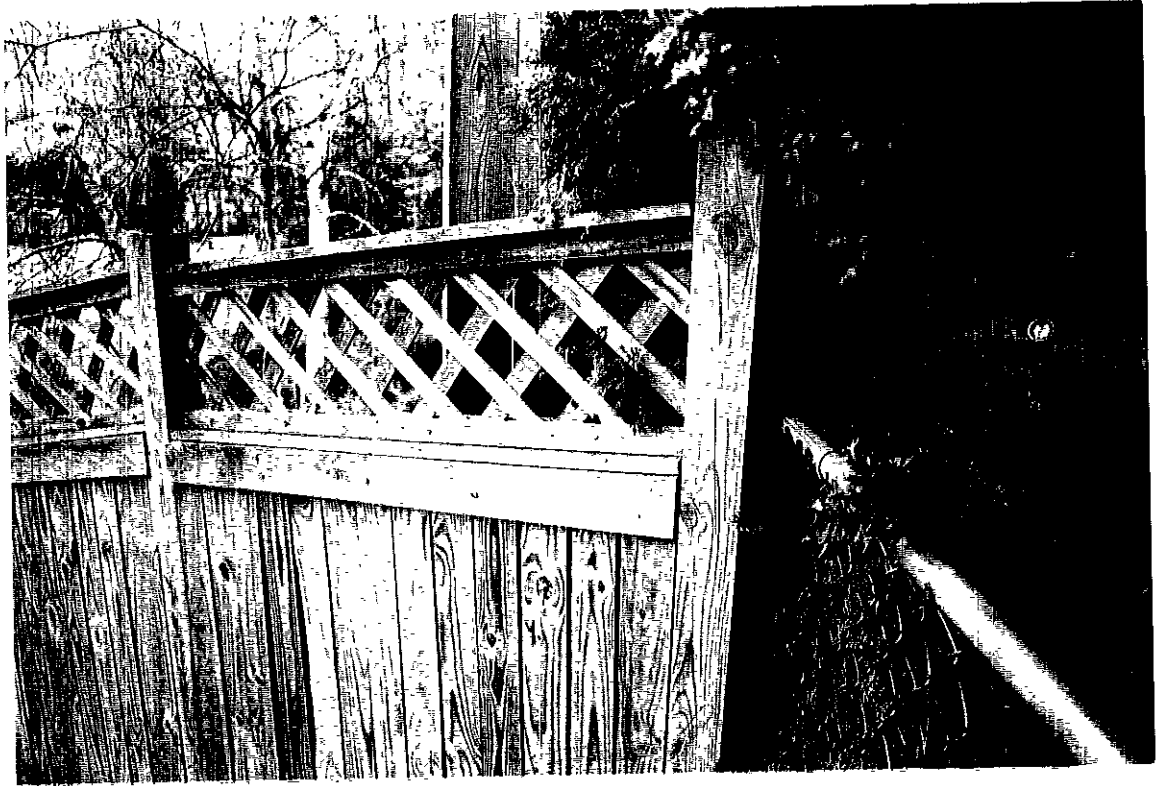








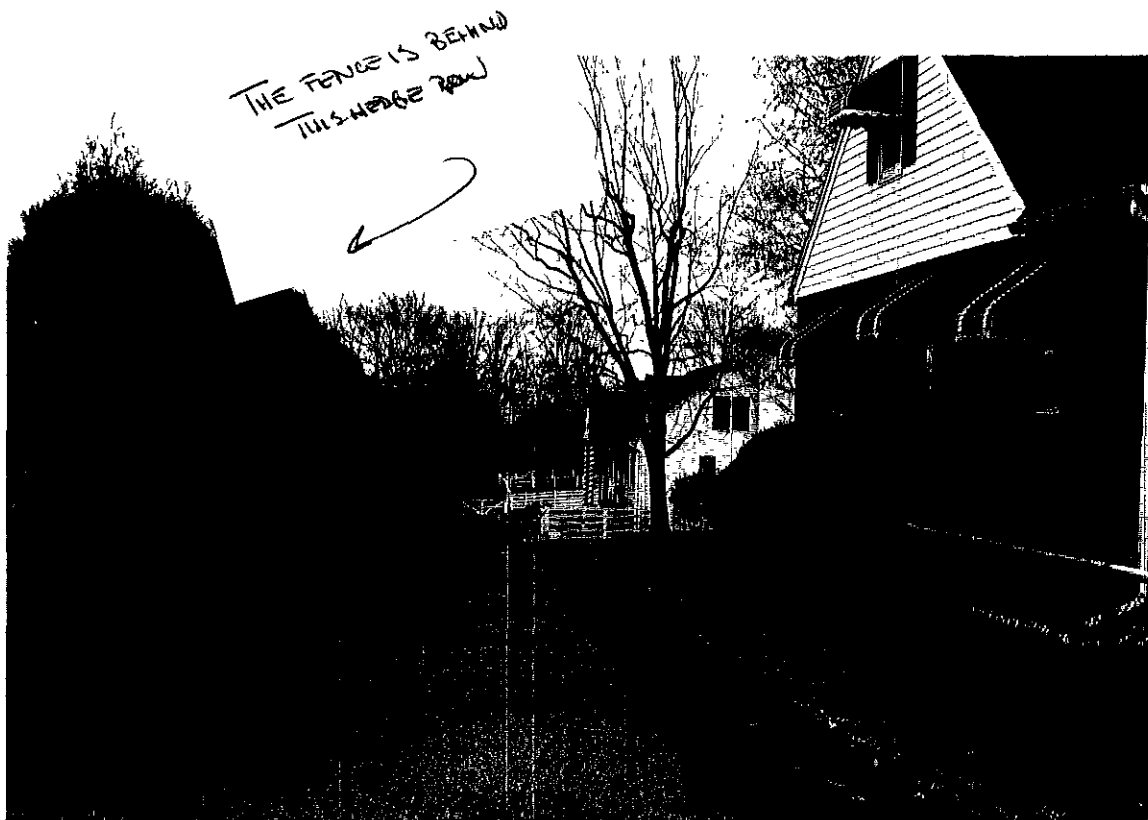




9709 MAGLEDT ROAD



Original House



Private Road & 9' Cypress Hedge

44-258-A

#258



Fence as Screening for Swimming Pool

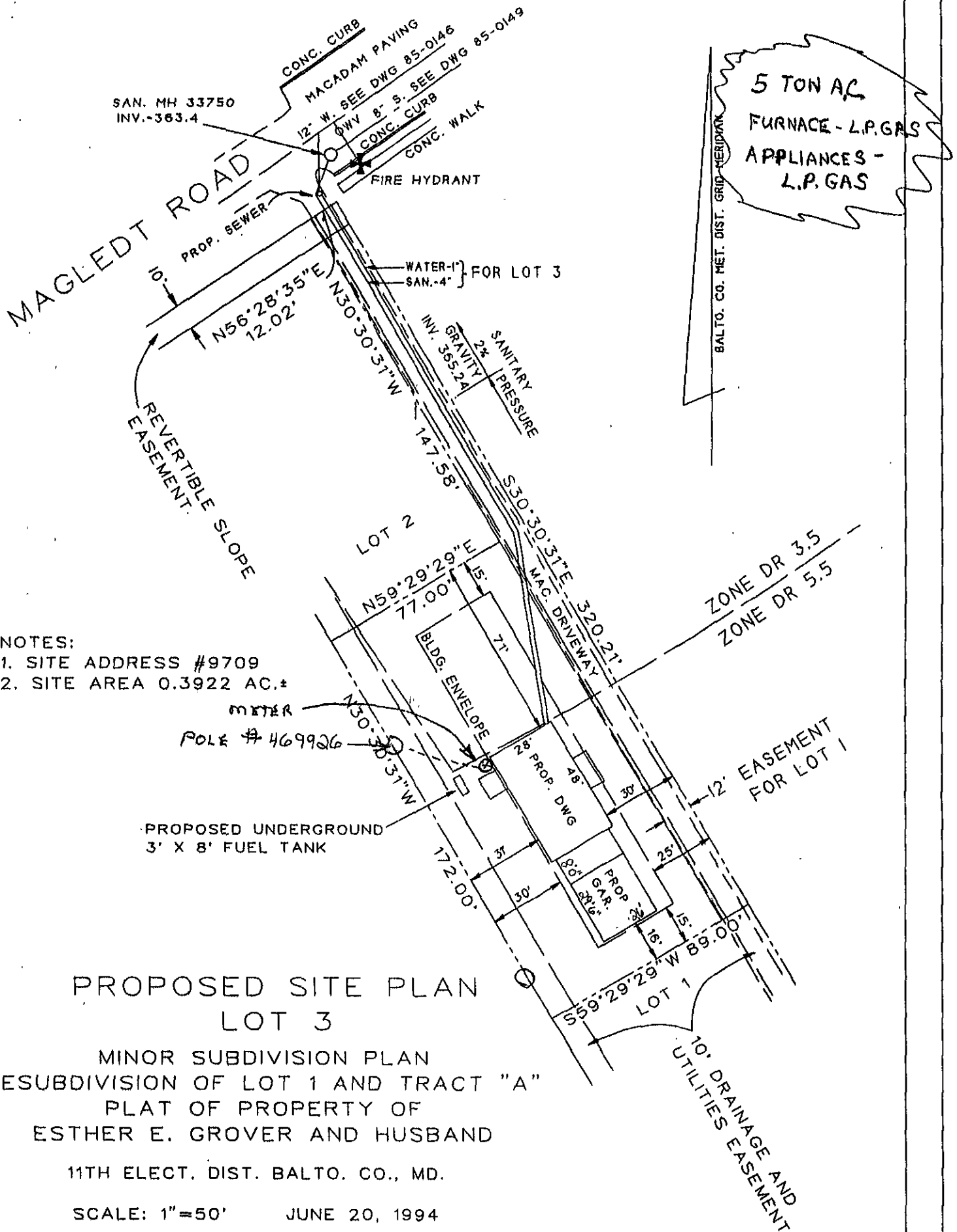
B
2



View from Magledt Road
Fence, Cypress Hedge, 9709 Magedt Road, Horse Barn

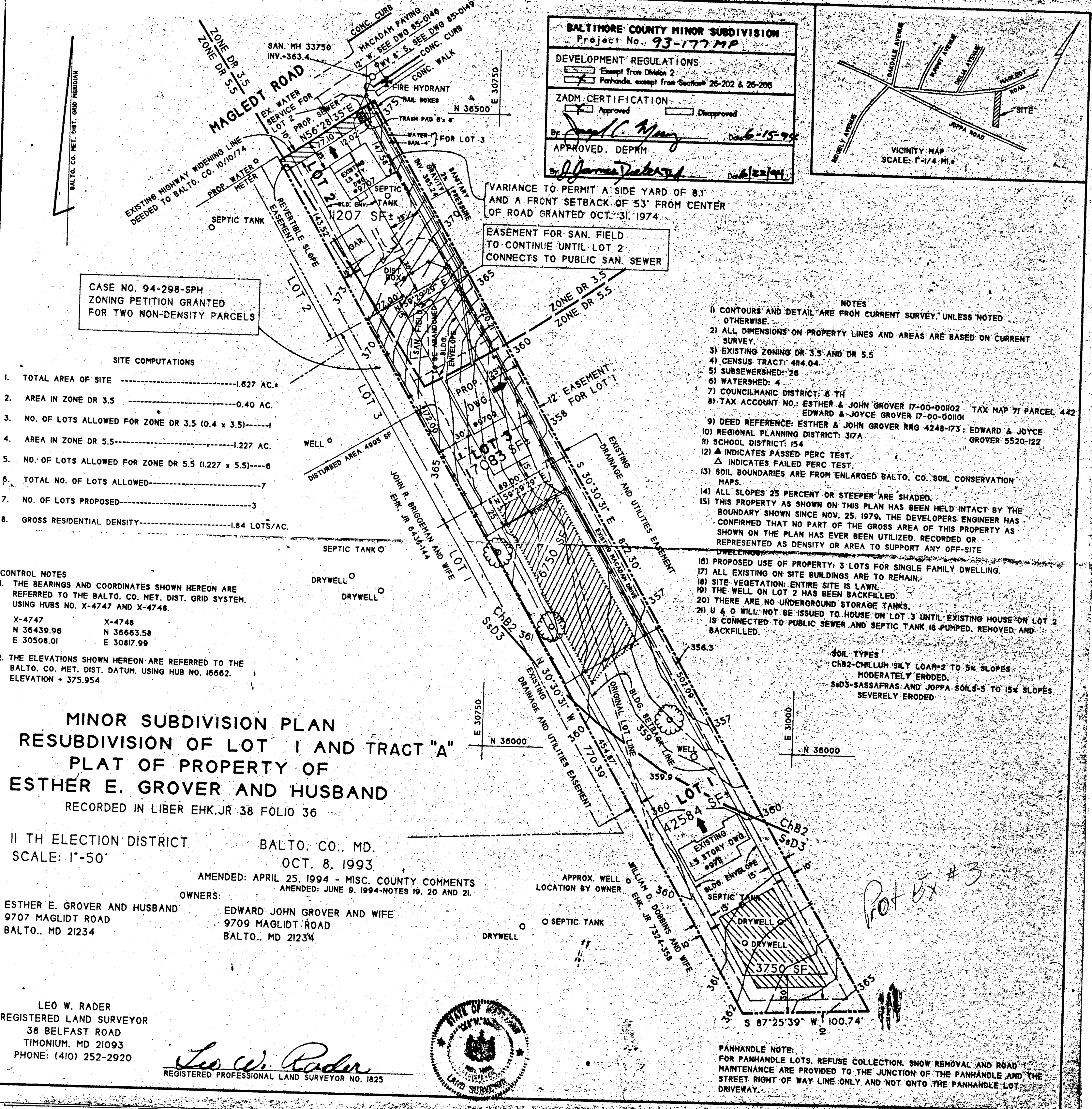
99-258-A

#258



Leo W. Rader

LEO W. RADER
REGISTERED LAND SURVEYOR
38 BELFAST ROAD
TIMONIUM, MD 21093
PHONE: (410) 252-2920

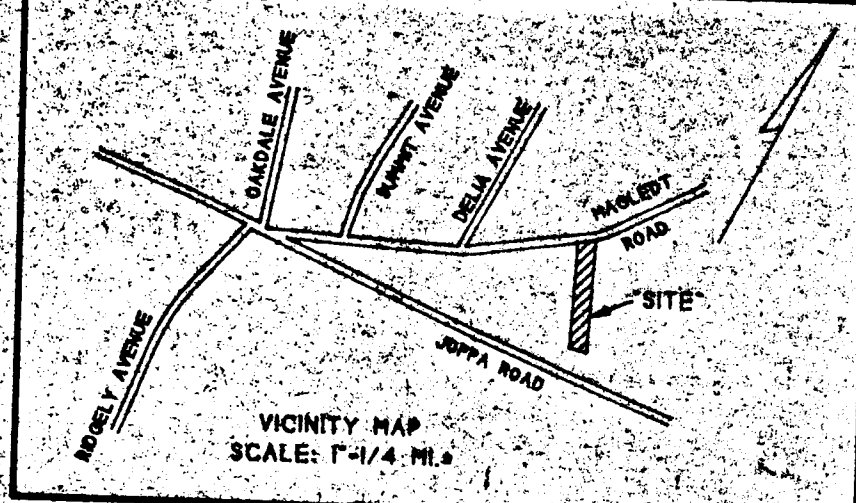


BALTIMORE COUNTY MINOR SUBDIVISION
Project No. 93-177 MP

DEVELOPMENT REGULATIONS
☒ Exempt from Division 2
☒ Panhandle, exempt from Sections 26-202 & 26-205

ZADM CERTIFICATION
☒ Approved ☐ Disapproved

By: *[Signature]* Date: 6-15-94
APPROVED, DEPRM
By: *[Signature]* Date: 6-22-94



CASE NO. 94-298-SPH
ZONING PETITION GRANTED
FOR TWO NON-DENSITY PARCELS

SITE COMPUTATIONS

1. TOTAL AREA OF SITE -----1.627 AC.
2. AREA IN ZONE DR 3.5 -----0.40 AC.
3. NO. OF LOTS ALLOWED FOR ZONE DR 3.5 (0.4 x 3.5)-----1
4. AREA IN ZONE DR 5.5-----1.227 AC.
5. NO. OF LOTS ALLOWED FOR ZONE DR 5.5 (1.227 x 5.5)-----6
6. TOTAL NO. OF LOTS ALLOWED-----7
7. NO. OF LOTS PROPOSED-----3
8. GROSS RESIDENTIAL DENSITY-----1.84 LOTS/AC.

- CONTROL NOTES**
1. THE BEARINGS AND COORDINATES SHOWN HEREON ARE REFERRED TO THE BALTO. CO. MET. DIST. GRID SYSTEM, USING HUBS NO. X-4747 AND X-4748.
X-4747 N 36439.96 E 30508.01
X-4748 N 36863.58 E 30817.99
 2. THE ELEVATIONS SHOWN HEREON ARE REFERRED TO THE BALTO. CO. MET. DIST. DATUM, USING HUB NO. 16662, ELEVATION = 375.954

- NOTES**
- 1) CONTOURS AND DETAIL ARE FROM CURRENT SURVEY, UNLESS NOTED OTHERWISE.
 - 2) ALL DIMENSIONS ON PROPERTY LINES AND AREAS ARE BASED ON CURRENT SURVEY.
 - 3) EXISTING ZONING DR 3.5 AND DR 5.5
 - 4) CENSUS TRACT: 414.04
 - 5) SUBSEWERSEHD: 26
 - 6) WATERSHED: 4
 - 7) COUNCILMANIC DISTRICT: 8 TH
 - 8) TAX ACCOUNT NO.: ESTHER & JOHN GROVER 17-00-00102 TAX MAP 71 PARCEL 442
EDWARD & JOYCE GROVER 17-00-00101
 - 9) DEED REFERENCE: ESTHER & JOHN GROVER RRG 4248-173; EDWARD & JOYCE GROVER 5520-122
 - 10) REGIONAL PLANNING DISTRICT: 317A
 - 11) SCHOOL DISTRICT: 154
 - 12) ▲ INDICATES PASSED PERC TEST.
△ INDICATES FAILED PERC TEST.
 - 13) SOIL BOUNDARIES ARE FROM ENLARGED BALTO. CO. SOIL CONSERVATION MAPS.
 - 14) ALL SLOPES 25 PERCENT OR STEEPER ARE SHADED.
 - 15) THIS PROPERTY AS SHOWN ON THIS PLAN HAS BEEN HELD INTACT BY THE BOUNDARY SHOWN SINCE NOV. 25, 1979, THE DEVELOPERS ENGINEER HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLING.
 - 16) PROPOSED USE OF PROPERTY: 3 LOTS FOR SINGLE FAMILY DWELLING.
 - 17) ALL EXISTING ON SITE BUILDINGS ARE TO REMAIN.
 - 18) SITE VEGETATION: ENTIRE SITE IS LAWN.
 - 19) THE WELL ON LOT 2 HAS BEEN BACKFILLED.
 - 20) THERE ARE NO UNDERGROUND STORAGE TANKS.
 - 21) U & O WILL NOT BE ISSUED TO HOUSE ON LOT 3 UNTIL EXISTING HOUSE ON LOT 2 IS CONNECTED TO PUBLIC SEWER AND SEPTIC TANK IS PUMPED, REMOVED AND BACKFILLED.

SOIL TYPES
ChB2-CHILLUM SILT LOAM-2 TO 5% SLOPES
MODERATELY ERODED.
SdD3-SASSAFRAS AND JOPPA SOILS-5 TO 15% SLOPES
SEVERELY ERODED

**MINOR SUBDIVISION PLAN
RESUBDIVISION OF LOT 1 AND TRACT "A"
PLAT OF PROPERTY OF
ESTHER E. GROVER AND HUSBAND**
RECORDED IN LIBER EHK JR 38 FOLIO 36

II TH ELECTION DISTRICT
SCALE: 1"=50'

BALTO. CO., MD.
OCT. 8, 1993
AMENDED: APRIL 25, 1994 - MISC. COUNTY COMMENTS
AMENDED: JUNE 9, 1994-NOTES 19, 20 AND 21.

OWNERS:
ESTHER E. GROVER AND HUSBAND
9707 MAGLIDT ROAD
BALTO., MD 21234
EDWARD JOHN GROVER AND WIFE
9709 MAGLIDT ROAD
BALTO., MD 21234

LEO W. RADER
REGISTERED LAND SURVEYOR
38 BELFAST ROAD
TIMONIUM, MD 21093
PHONE: (410) 252-2920

[Signature]
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 1825



PANHANDLE NOTE:
FOR PANHANDLE LOTS, REFUSE COLLECTION, SNOW REMOVAL AND ROAD MAINTENANCE ARE PROVIDED TO THE JUNCTION OF THE PANHANDLE AND THE STREET RIGHT OF WAY LINE ONLY AND NOT ONTO THE PANHANDLE LOT DRIVEWAY.



PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

258
99-258-A

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	CARNEY PERRY HALL	N.E. 10-F
DATE OF PHOTOGRAPHY JANUARY 1986		